

Atty. Docket No. JP9-2000-0267  
(590.083)

**REMARKS**

Please note the fact that January 27, 2007, fell on a Saturday ensures that this paper is timely filed as of today, Monday, January 29, 2007 (the next succeeding day which is not a Saturday or Sunday).

In the Office Action dated October 27, 2006, pending Claims 1, 2, and 4-23 were rejected and the rejection made final. Claims 1, 4, 6, 8, 10, 12, 13, 15-17, and 19-22 are independent; the remaining claims are dependent. Independent claims 1, 4 and 6 have been rewritten to address the Examiner's rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Applicant intends no change in the scope of the claims by the changes made by this amendment. It should be noted these amendments are not in acquiescence of the Examiner's position on allowability of the claims, but merely to expedite prosecution.

Applicant and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Examiner is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the foregoing amendments and the following remarks.

**Rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph:**

Claims 1, 4, and 6 stand rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

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Specifically the Examiner regards claim limitations with respect to "such that the number of errors . . . is [reduced]" to be unclear. Claims 1, 4, and 6 have been amended to replace "such that" with "in order that."

Applicant respectfully submits that the claim terminology is clear and is adequately defined in the specification. Applicant respectfully submits that claims 1, 4, and 6, as amended, particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 4, and 6 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

**Rejection of claims 1, 2, and 4-23 under 35 U.S.C. 103(a):**

Claims 1, 2, and 4-23 stand rejected as being unpatentable over U.S. Patent 5,666,139 to Thielens et al. (hereinafter Thielens ('139)) in view of U.S. Published Application 2003/0177115 of Stern et al. (hereinafter Stern ('0177115)), in further view of Wordperfect for DOS, Wordperfect Corp. (1989) (hereinafter Wordperfect), and in further view of U.S. Patent 6,295,542 to Corbin (hereinafter Corbin ('542)) under 35 U.S.C. § 103(a).

The present invention broadly contemplates methods and systems that generally relate to markup text data error correction. In accordance with the present invention, errors and incorrect conversions that tend to occur during the re-input of text can be detected. Additional representative data can be added to the markup text data which represents and describes the data identified as being a source of error in future data text re-input. In accordance with the present invention, the additional representative data can

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be used to determine the original data that it represents, thus, enabling the prevention of common errors associated with markup text data re-input.

A very simply example related to the present invention and which is in no way intended to limit Applicant's disclosure and/or claims may prove to be a helpful overview of the Applicant's position. For example then, if "AB" were data that when re-input generally resulted as being interpreted "DE", then another way of representing "AB" that did not result in a misinterpretation would be helpful in preventing the re-input error. If, continuing this basic example, "12" could represent "AB" without any re-input errors being associated with "12", then the error could be avoided. The insertion of "12" into the data as an identification of "AB" would enable the prevention of the re-input error when used in a system that understood the additional data, "12", to mean "AB" is the proper form of the associated data being re-input. The relation of the example to at least one embodiment of the present invention can be seen in an embodiment in which, "A first computer comprises: a markup addition profile, which includes information used for replacing with tags a predetermined portion in XML application data; and an error prevention/detection/correction markup addition module, for replacing with tags, while referring to the markup addition profile, the predetermined portion of the application data, for generating and outputting application data that includes correction information. A second computer comprises: an error detection/correction module, for receiving the application data that includes correction information, for recognizing a tag set included in the data, and for detecting errors or incorrect conversions in the application data."

(Abstract)

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The cited art stands in contrast to the presently claimed invention. As best understood, Thielens appears to be directed to a copy editing apparatus and method. (Col. 1, lines 9-10) Copy editing as used in Thielens appears to refer to the process in which a manuscript copy is edited. As noted therein, such a process has traditionally been performed on paper, and certain conventions have emerged. (Col. 16, lines 33-36, "These correspond to the aforementioned markings that the copy editor normally marks adjacent, for example, the chapter headings, to indicate how they will print. These markings are conventionally contained within a circle.") Such copy edit markings may be inserted into an electronic document through the use of a "edit tags." (Col. 17, line 65 through Col. 18, line 20)

Stern appears to be directed to a system and method for the automatic preparation and searching of scanned documents, such as microfilm and paper, in which the probability of errors occurring during the preparation of the scanned documents is incorporated into the searching process. (Paragraph 1). Such approaches are typically referred to as "fuzzy searches". As stated in Stern, "[t]he advantage of the present invention is that is specifically ties the 'fuzziness' of the search to the amount of error which occurs during the OCR process." (Paragraph 48)

Finally, as best understood, WordPerfect appears to be directed to a spell-checking tool for use in conjunction with WordPerfect, a word processor that creates textual documents in DOS. (The spell checker uses English language dictionaries unless specified. Algorithmic dictionaries may also be set as the dictionary to be used during spell-checking, but these dictionaries may not be modified or changed. Additionally, the

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spell check does not check words insides of any styles, and only considers words with uppercase or lowercase letters, as well as apostrophes and international letters if specified, as valid words. Parentheses are considered to be invalid characters.)

At least one embodiment of the instantly claimed invention requires, "An error correction support method for application data written in a markup description language, said method comprising the steps of: selecting, from elements of said application data written in a markup description language, a text portion that needs error correction support, said error correction related to errors comprising errors or incorrect character conversions that occur frequently during the re-input of text in a markup description language used to write data or sentences; enclosing said selected text portion using predetermined tags; and writing correction code, which is based on a predetermined algorithm, in said text portion enclosed by said predetermined tags, in order that the number of said errors or incorrect character conversions is ultimately reduced." (Claim 4) Preventing errors or incorrect character conversions in a markup description language as claimed is simply not taught or suggested by either Thielens, Stern, or WordPerfect. Moreover, combining the teachings of Thielens, Stern, and WordPerfect would not result in the instantly claimed invention.

Applicant would like to point out the subject matter of newly added claim 23 is also not taught or suggest by the cited art. Specifically, claim 23, which depends from claim 4 above, and recites, *inter alia*, "[r]emoving said correction code and said predetermined tags and returning said application data written in a markup description language to its original form." (Claim 23) None of the cited art references contemplate,

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teach, or suggest the invention as set forth in claim 23. Therefore, it, as well as the other claims, should be immediately allowed.

Please also note the Examiner appears to have applied his rationale for the rejection of claims 1 and/or 4 to his rejection of independent claims 12, 13, 17, 19, and 21, which are, broadly speaking, directed toward the receiving and recognition of data including a correction code, which is different than that claimed in claims 1 and/or 4. For the reasons similar to those as set forth for claim 23, just described, the Applicant suggests that the cited art fails to teach the limitations for which it has been cited. (See Fig. 7 Ref. 23 "Error detection/correction module").

Applicant respectfully submits that in order to establish a *prima facie* case of obviousness three criteria must be met. First, must be some suggestion or motivation to modify a reference or combine reference teachings, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. Second, the modification or combination must have some reasonable expectation of success. Third, the prior reference or combined references must teach or suggest all the claim limitations. MPEP § 2143. The teachings of a prior art reference must be considered as a **whole** including those portions that would lead away from the claimed invention. MPEP § 2141.02(VI).

Applicant further respectfully submits that "[t]he Examiner must determine what is 'analogous prior art' for the purpose of analyzing the obviousness of the subject matter at issue." A prior art reference must either be in the Applicant's field of endeavor or be

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“reasonably pertinent to the particular problem” that the Applicant was concerned with in order to be relied upon as basis for rejecting an Applicant’s claims. MPEP § 2141.01(a)(I).

Applicant respectfully submits that Corbin (‘542) is non-analogous prior art and cannot be relied upon as a basis for rejecting Applicant’s claims. Applicant’s claimed invention is directed towards a method and apparatus for preventing, detecting and correcting errors in text recognition. Corbin (‘542) is directed toward an automated system for embedding HTML hyperlinks at cross-references to section headings within a document. Corbin (‘542) contains **absolutely no teachings of correcting errors in text recognition**. Applicant’s claimed invention is meant to prevent, detect and correct errors in recognizing non-standard text. The teachings of Corbin (‘542) would exacerbate, not prevent, such a problem. The rejection is therefore improper.

With regards to the motivation to combine reference, the Examiner asserts that one of ordinary skill in the art would have been motivated to incorporate the teachings of Corbin (‘542) into Thielens (‘139), Stern (‘0177115), and Wordperfect to provide an automatic error correction solution. Applicant respectfully submits that even if the teachings of Corbin (‘542) were to be incorporated into the other references such an advantage would never be realized. Corbin (‘542) merely teaches a system for providing HTML hyperlinks in cross-references in lengthy documents. As established above Corbin (‘542) contains no teachings regarding error correction. If the teachings of Corbin (‘542) were to be incorporated heading and cross-reference text would merely be located and standardized and hyperlinks would be embedded in the file. No textual errors would

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be prevented or corrected. Applicant respectfully submits then, that the Examiner's asserted motivation to combine the references is not suggested by the prior art because it is in contradiction to the teachings of Corbin ('542). The rejection is therefore improper.

For the foregoing reasons, Applicant respectfully submits that claims 1, 2, and 4-23 are allowable over Thielens ('139), Stern ('0177115), Wordperfect, and Corbin ('542). Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 2, and 4-23 as being unpatentable over Thielens ('139), Stern ('0177115), Wordperfect, and Corbin ('542) under 35 U.S.C. § 103(a).

In view of the foregoing, it is respectfully submitted that Claims 1, 4, 6, 8, 10, 12-13, 15-17, 19-22 are fully distinguishable over the applied art and are thus allowable. By virtue of dependence from Claims 1, 4, 6, 8, 10, 13, and 17, it is thus also submitted that Claims 2, 5, 7, 9, 11, 14, 18, and 23 are also allowable at this juncture.

Applicant wishes to call to the attention of the Office that Applicant's priority application has issued as a Japanese patent (Patent No. 3494292). This supports Applicant's contention that there is allowable subject matter in the present application, and in particular, that the claims as present presented are allowable.

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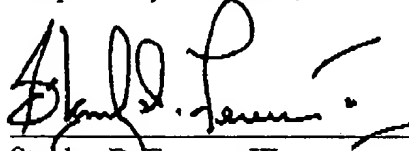
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In summary, it is respectfully submitted that the instant application, including Claims 1, 2, and 4-23, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. Applicant also respectfully requests the courtesy of a telephone interview should the Examiner have any further issues with respect to this application

Respectfully submitted,



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